



# STATE OF WISCONSIN Assembly Journal

## Ninety-Sixth Regular Session

11:06 A.M.

TUESDAY, March 11, 2003

The Assembly met in the Assembly Chamber located in the State Capitol.

Speaker Gard in the chair.

Representative Freese asked unanimous consent for a quorum call. Granted.

A quorum was present.

The prayer was offered by Father Paul Arinze of St. Ignatius Catholic Church in Mt. Horeb.

Representative Pope–Roberts led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Pocan, Pope–Roberts, Powers, Rhoades, Richards, Schneider, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, A. Williams, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 98.

Absent with leave – None.

Vacancies – 18th Assembly District – 1.

### INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

#### Assembly Bill 145

Relating to: requiring termination of services of, transfer or sale of tangible personal property and sale of real property at, and transfer of residents from the Central Center for the Developmentally Disabled.

By Representatives J. Wood, Suder, Balow, Kreibich, Musser, F. Lasee, Ladwig and Hines; cosponsored by Senators Zien and Brown.

To committee on **Health**.

### COMMITTEE REPORTS

The committee on **Campaigns and Elections** reports and recommends:

#### Assembly Bill 115

Relating to: filing of declarations of candidacy and recording of votes received by write–in candidates in certain elections.

Passage:

Ayes: 5 – Representatives Freese, Gundrum, Grothman, J. Wood and Travis.

Noes: 1 – Representative Pocan.

To committee on **Rules**.

#### Assembly Bill 116

Relating to: use of moneys from the Wisconsin election campaign fund to make certain false representations.

Passage:

Ayes: 5 – Representatives Freese, Gundrum, Grothman, J. Wood and Pocan.

Noes: 1 – Representative Travis.

To committee on **Rules**.

#### Assembly Bill 117

Relating to: limits on certain contributions made and received by political parties and elimination of legislative campaign committees, providing an exemption from emergency rule procedures and granting rule–making authority.

Without recommendation (Assembly Rule 19).

Ayes: 3 – Representatives Freese, Gundrum and Pocan.

Noes: 3 – Representatives Grothman, J. Wood and Travis.

To committee on **Rules**.

#### Assembly Bill 118

Relating to: the method of filling vacancies in certain county, city, village, and town elective offices.

Passage:

Ayes: 5 – Representatives Freese, Gundrum, Grothman, J. Wood and Pocan.

Noes: 1 – Representative Travis.

To committee on **Rules**.

**Assembly Bill 119**

Relating to: reporting of information by nonresident registrants under the campaign finance law.

Passage:

Ayes: 6 – Representatives Freese, Gundrum, Grothman, J. Wood, Travis and Pocan.

Noes: 0.

To committee on **Rules**.

**Assembly Bill 121**

Relating to: recruitment, training, certification, and compensation of election officials.

Passage:

Ayes: 6 – Representatives Freese, Gundrum, Grothman, J. Wood, Travis and Pocan.

Noes: 0.

To committee on **Rules**.

*STEPHEN FREESE*  
Chairperson  
Committee on Campaigns and Elections

The committee on **State Affairs** reports and recommends:

**Assembly Bill 144**

Relating to: Indian gaming compacts.

Assembly Amendment 1 adoption:

Ayes: 6 – Representatives J. Fitzgerald, Krawczyk, M. Lehman, Gundrum, Petrowski and W. Wood.

Noes: 3 – Representatives Musser, Turner and Young.

Passage as amended:

Ayes: 5 – Representatives J. Fitzgerald, Krawczyk, M. Lehman, Gundrum and Petrowski.

Noes: 4 – Representatives Musser, Turner, W. Wood and Young.

To committee on **Rules**.

*JEFF FITZGERALD*  
Chairperson  
Committee on State Affairs

**LEAVES OF ABSENCE**

Representative Turner asked unanimous consent for a leave of absence for part of today's session for Representatives Colon, Lassa, Plale, Schneider, A. Williams and Young. Granted.

Representative Vrakas asked unanimous consent for a leave of absence for part of today's session for Representative Kestell. Granted.

Representative Vrakas asked unanimous consent that the Assembly stand recessed. Granted.

The Assembly stood recessed.

11:25 A.M.

**RECESS**

2:10 P.M.

The Assembly reconvened.

Speaker Gard in the chair.

Representative Plale asked unanimous consent that his leave of absence be lifted. Granted.

Representative Lassa asked unanimous consent that her leave of absence be lifted. Granted.

Representative Kestell asked unanimous consent that his leave of absence be lifted. Granted.

Representative Young asked unanimous consent that his leave of absence be lifted. Granted.

Representative Colon asked unanimous consent that his leave of absence be lifted. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 19** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Assembly Joint Resolution 19**

Relating to: proclaiming May 16, 17, and 18, 2003, Syttende Mai Weekend.

The question was: Shall **Assembly Joint Resolution 19** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 19** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 22** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

**Assembly Joint Resolution 22**

Relating to: proclaiming April 4, 2003, Sheboygan Day in Wisconsin.

The question was: Shall **Assembly Joint Resolution 22** be adopted?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 22** be immediately messaged to the Senate. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 17** be withdrawn from the committee on **Rules** and taken up at this time. Granted.

### **Senate Joint Resolution 17**

Relating to: the life of Dr. Laurel Blair Salton Clark.

The question was: Shall **Senate Joint Resolution 17** be concurred in?

Motion carried.

Representative Foti asked unanimous consent that all members of the Assembly be added as cosponsors of **Senate Joint Resolution 17**. Granted.

Representative Foti asked unanimous consent that the rules be suspended and that **Senate Joint Resolution 17** be immediately messaged to the Senate. Granted.

Representative A. Williams asked unanimous consent that her leave of absence be lifted. Granted.

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## **INTRODUCTION AND REFERENCE OF PROPOSALS**

The committee on Rules introduced a privileged resolution.

### **Assembly Resolution 5**

Relating to: establishing a special order of business for Wednesday, March 12, 2003.

By committee on Rules.

The question was: Shall **Assembly Resolution 5** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, Lassa, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, Ziegelbauer and Speaker Gard – 61.

Noes – Representatives Balow, Berceau, Black, Boyle, Cogg, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Morris, Plale, Plouff, Pocan, Pope–Roberts, Richards, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Van Akkeren, Wasserman, A. Williams, W. Wood, Young and Zepnick – 36.

Absent or not voting – Representative Schneider – 1.

Motion carried.

### **Assembly Bill 144**

Relating to: Indian gaming compacts.

**Assembly Bill 144** was made a special order of business at 10:00 A.M on March 12, 2003, pursuant to **Assembly Resolution 5**.

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## **CALENDAR OF WEDNESDAY, FEBRUARY 19**

### **Assembly Bill 3**

Relating to: limitations on the filling of vacant positions in state government.

The question was: **Assembly Bill 3** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Bies, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Ladwig, F. Lasee, Lassa, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood, Ziegelbauer and Speaker Gard – 60.

Noes – Representatives Balow, Berceau, Black, Boyle, Cogg, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krug, Krusick, J. Lehman, Miller, Morris, Plale, Plouff, Pocan, Pope–Roberts, Richards, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young and Zepnick – 37.

Absent or not voting – Representative Schneider – 1.

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 3** be immediately messaged to the Senate. Granted.

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## **CALENDAR OF THURSDAY, FEBRUARY 20**

### **Assembly Bill 39**

Relating to: membership on the State Fair Park Board.

The question was: Shall **Assembly Bill 39** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 39** be given a third reading. Granted.

The question was: **Assembly Bill 39** having been read three times, shall the bill be passed?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 39** be immediately messaged to the Senate. Granted.

Speaker Pro Tempore Freese in the chair.

### **Assembly Bill 42**

Relating to: burial at veterans cemeteries.

The question was: Shall Assembly substitute amendment 2 to **Assembly Bill 42** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 42** be ordered engrossed and read a third time?

Motion carried.

Representative Foti asked unanimous consent that the rules be suspended and that **Assembly Bill 42** be given a third reading. Granted.

The question was: **Assembly Bill 42** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Balow, Berceau, Bies, Black, Boyle, Cogg, Colon, Cullen, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hebl, Hines, Huber, Hubler, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Kreuser, Krug, Krusick, Ladwig, F. Lasee, Lassa, J. Lehman, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Miller, Montgomery, Morris, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Poca, Pope–Roberts, Powers, Rhoades, Richards, Schooff, Seratti, Sherman, Shilling, Sinicki, Staskunas, Steinbrink, Stone, Suder, Towns, Townsend, Travis, Turner, Underheim, Van Akkeren, Van Roy, Vrakas, Vruwink, Vukmir, Ward, Wasserman, Weber, Wieckert, A. Williams, M. Williams, J. Wood, W. Wood, Young, Zepnick, Ziegelbauer and Speaker Gard – 96.

Noes – None.

Absent or not voting – Representatives Gronemus and Schneider – 2.

Motion carried.

Representative Gronemus asked unanimous consent to be recorded as voting “**Aye**” on the previous question. Granted.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 42** be immediately messaged to the Senate. Granted.

Representative Foti in the chair.

Representative Freese asked unanimous consent that the Assembly stand informal. Granted.

The Assembly stood informal.

2:50 P.M.

### **INFORMAL**

3:00 P.M.

The Assembly reconvened.

Speaker Pro Tempore Freese in the chair.

Representative Schneider asked unanimous consent that his leave of absence be lifted. Granted.

### **CALENDAR OF TUESDAY, MARCH 11**

#### **Assembly Bill 111**

Relating to: requiring identification in order to vote at a polling place or obtain an absentee ballot, the fee for an identification card issued by the Department of Transportation, and making an appropriation.

Representative Vukmir asked unanimous consent to be made a coauthor of **Assembly Bill 111**. Granted.

Representative Nischke asked unanimous consent to be made a coauthor of **Assembly Bill 111**. Granted.

Representative Gard asked unanimous consent that **Assembly Bill 111** be referred to the joint committee on **Finance**.

Representative Morris objected.

Representative Gard asked unanimous consent that **Assembly Bill 111** be referred to the joint committee on **Finance**. Granted.

#### **Assembly Bill 18**

Relating to: the size of the county board of supervisors in populous counties.

The question was: Shall Assembly amendment 1 to **Assembly Bill 18** be adopted?

Motion carried.

Assembly amendment 2 to **Assembly Bill 18** offered by Representatives Stone and Krug.

The question was: Shall Assembly amendment 2 to **Assembly Bill 18** be adopted?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, Berceau, Bies, Colon, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Gronemus, Grothman, Gunderson, Gundrum, Hahn, Hines, Huber, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Krug, Krusick, Ladwig, F. Lasee, Lassa, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Plale, Plouff, Powers, Rhoades, Seratti, Shilling, Sinicki, Staskunas, Stone, Suder, Towns, Townsend, Underheim, Van Akkeren, Van Roy, Vrakas, Vukmir, Ward, Wasserman, Weber, Wieckert, M. Williams, J. Wood, Zepnick, Ziegelbauer and Speaker Gard – 74.

Noes – Representatives Balow, Coggs, Hebl, Kreuser, J. Lehman, Miller, Morris, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Steinbrink, Travis, Turner, Vruwink, A. Williams, W. Wood and Young – 20.

Absent or not voting – Representatives Black, Boyle, Cullen and Hubler – 4.

Motion carried.

Representative Black asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

Representative Cullen asked unanimous consent to be recorded as voting “No” on the previous question. Granted.

The question was: Shall **Assembly Bill 18** be ordered engrossed and read a third time?

Motion carried.

Representative Hundertmark asked unanimous consent that the rules be suspended and that **Assembly Bill 18** be given a third reading.

Representative Morris objected.

Representative Foti moved that the rules be suspended and that **Assembly Bill 18** be given a third reading.

The question was: Shall the rules be suspended and **Assembly Bill 18** be given a third reading?

The roll was taken.

The result follows:

Ayes – Representatives Ainsworth, Albers, J. Fitzgerald, Foti, Freese, Friske, Gielow, Gottlieb, Grothman, Gunderson, Gundrum, Hahn, Hines, Huebsch, Hundertmark, Jensen, Jeskewitz, Johnsrud, Kaufert, Kerkman, Kestell, Krawczyk, Kreibich, Krug, Ladwig, F. Lasee, M. Lehman, LeMahieu, Loeffelholz, Lothian, McCormick, D. Meyer, Montgomery, Musser, Nass, Nischke, Olsen, Ott, Owens, Petrowski, Pettis, Powers, Rhoades, Seratti, Stone, Suder, Towns, Townsend, Underheim, Van Roy, Vrakas, Vukmir, Ward, Weber, Wieckert, M. Williams, J. Wood and Speaker Gard – 58.

Noes – Representatives Balow, Berceau, Bies, Black, Boyle, Coggs, Colon, Cullen, Gronemus, Hebl, Huber, Hubler, Kreuser, Krusick, Lassa, J. Lehman, Miller, Morris, Plale, Plouff, Pocan, Pope–Roberts, Richards, Schneider, Schooff, Sherman, Shilling, Sinicki, Staskunas, Steinbrink,

Travis, Turner, Van Akkeren, Vruwink, Wasserman, A. Williams, W. Wood, Young, Zepnick and Ziegelbauer – 40.

Absent or not voting – None.

Motion failed.

### **Assembly Bill 61**

Relating to: creating a wireless 911 fund; imposing a surcharge on wireless telephone customers; making grants for wireless 911 emergency telephone service; providing an exemption from emergency rule procedures; granting rule-making authority; and making appropriations.

Representative Kaufert asked unanimous consent that the rules be suspended and that **Assembly Bill 61** be withdrawn from the calendar of March 13 and referred to the joint committee on **Finance**.

Representative Kreuser objected.

Representative Kaufert asked unanimous consent that the rules be suspended and that **Assembly Bill 61** be withdrawn from the calendar of March 13 and referred to the joint committee on **Finance**. Granted.

Representative Kaufert asked unanimous consent to be made a coauthor of **Assembly Bill 40**. Granted.

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## **ANNOUNCEMENTS**

Representative Albers asked unanimous consent that the Assembly adjourn in memory of Judge John W. Brady, who passed away on March 9 and was the only judge for Juneau County. Granted.

Representative Albers asked unanimous consent that the Assembly adjourn in honor of her staff person, Scott Southworth, and the 32nd Infantry Brigade, Wisconsin Army National Guard. Granted.

Representative Plale asked unanimous consent that the Assembly adjourn in honor of the Marquette University Golden Eagles Men’s Basketball Team who won the Conference USA Championship. Granted.

Representative Krawczyk asked unanimous consent that the Assembly adjourn in honor of the Green Bay Preble High School Girl’s Basketball Team who earned a trip to the WIAA State Basketball Tournament. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of the University of Wisconsin-Milwaukee Men’s Basketball Team. Granted.

Representative Richards asked unanimous consent that the Assembly adjourn in honor of La Verne Kreuser and Iva Richards on the occasion of their birthdays. Granted.

Representative Schneider asked unanimous consent that the Assembly adjourn in memory of Deputy Michael Shannon, who was killed in the line of duty on March 7, and the Adams County Sheriff’s Department. Granted.

Representative Pettis asked unanimous consent that the Assembly adjourn in honor of his parents, Luther and Mayme Pettis, on the occasion of their 68th wedding anniversary. Granted.

Representative Schooff asked unanimous consent that the Assembly adjourn in honor of the Clinton Cougars Girls Basketball Team who earned a trip to the WIAA State Basketball Tournament. Granted.

Representative Schooff asked unanimous consent that the Assembly adjourn in honor of the Beloit Memorial Purple Knights Girls Basketball Team who earned a trip to the WIAA State Basketball Tournament. Granted.

Representative Montgomery asked unanimous consent that the Assembly adjourn in honor of Destination Imagination. Granted.

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## REFERENCE BUREAU CORRECTIONS

### Assembly Bill 111

1. Page 19, line 15: delete "the the" and substitute "the".

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## VISITORS

During today's session, the following visitors honored the Assembly by their presence and were welcomed by the presiding officer and the members:

Joe Scheibinger of KFIZ Radio in Fond du Lac, guest of Representative Townsend.

Gilmanton High School Junior and Senior students accompanied by their teacher, Denise Treankler, and exchange students from Germany, Chris Hann and Robert Prinz, guests of Representative Gronemus.

Independence High School Junior and Senior students accompanied by their teacher, Greg La Bansky, guests of Representative Gronemus.

Milwaukee County Register of Deeds, John La Fave, who was a member of the Assembly, guest of Representative Cullen.

150 5th Grade students, accompanied by 5 teachers and 18 adults, from Sunrise, Sunset, and Sawyer Schools from Sturgeon Bay, guests of Representative Bies.

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## ADJOURNMENT

Representative Foti moved that the Assembly stand adjourned until 1:00 P.M. tomorrow.

The question was: Shall the Assembly stand adjourned?

Motion carried.

The Assembly stood adjourned.

3:30 P.M.